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APR 22 2011

08/613, 070

Attorney Docket No.: **ATOMIC-2****IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Patentee: Douglas J. Toth )  
Patent No.: 5,803,073 )  
Issued: September 8, 1998 )  
For: AN IMPROVED SECOND STAGE )  
SCUBA DIVING REGULATOR )  
HAVING A PNEUMATIC DEPENDENT )  
ANTI-SET FEATURE )

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USPTO  
PATENT ACCOUNTING  
DIVISION**TRANSMITTAL OF REQUEST FOR RECONSIDERATION OF A  
PETITION TO REVIVE A PATENT****MAIL STOP: PETITIONS**

Attn: Christina Tartera Donnell  
Senior Petitions Attorney  
Commissioner for Patents  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herein is this Request For Reconsideration of a Petition under Rule 1.378(b) to revive the above-captioned patent by delayed acceptance of previously unpaid maintenance fees. The Request is supported by supplemental declarations of the undersigned, Leonard Tachner, counsel for the patentee, the office manager of counsel's office, Ms. Janis Foreman and physician, Dr. Samuel Albert who is a board certified psychiatrist.

Based upon the foregoing as more thoroughly detailed in the enclosed declarations, it is earnestly believed that the revival of the subject patent based upon entirely unforeseen circumstances that were truly "unavoidable", justifies

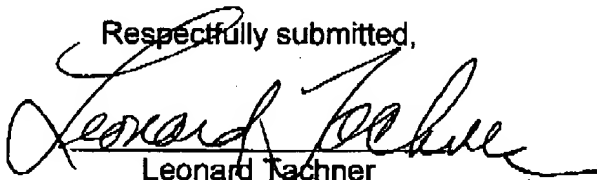
~~5~~ 5,803,073

reconsideration and granting of the pending petition and such is respectfully solicited.

A fee of \$4,355.00 (for the second annuity \$1,240.00; third annuity \$2,055.00; Original Petition Fee \$700.00; and \$400.00 for the requested reconsideration) should be deducted from Deposit Account No. 06-0930.

Respectfully submitted,

4-15-11

  
Leonard Tachner

Attachments:

1. Additional Declaration of Leonard Tachner (3 pages)
2. Declaration of Samuel H. Albert, M.D. (2 pages)
3. Additional Declaration of Janis Foreman (3 pages)

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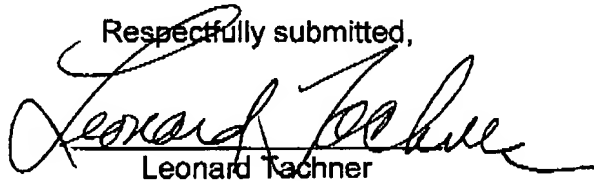
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